UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

          Plaintiff,

v.

RICHARD TOLBERT,

          Defendant.

Case No. 19-CR-236-2-JPS

ORDER

On February 11, 2020, the parties filed a plea agreement, indicating that Defendant had agreed to plead guilty to Counts Two, Four, Five, Eight, and Nine of the Indictment. (Docket #25). The parties appeared before Magistrate Judge William E. Duffin on March 3, 2020 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #28). Defendant entered a plea of guilty as to Counts Two, Four, Five, Eight, and Nine of the Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Duffin determined that the guilty plea was knowing and voluntary, and that the offenses charged were supported by an independent factual basis containing each of the essential elements of the offenses. (Docket #28 and #29).

Thereafter, Magistrate Judge Duffin filed a Report and Recommendation with this Court, recommending that: (1) the defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) the defendant be adjudicated guilty and have a sentence imposed accordingly. (Docket #29). Pursuant to General L. R. 72(c) (E.D. Wis.), 28 U.S.C. § 636(b)(1)(B), and Federal Rules of Criminal Procedure

59(b) or 72(b) if applicable, the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation.
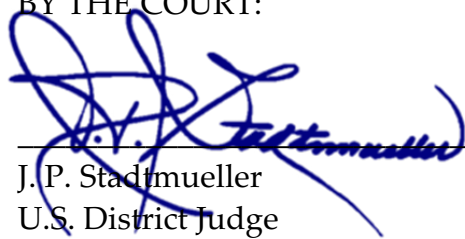
To date, no party has filed such an objection.

The Court has considered Magistrate Judge Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge William E. Duffin's report and recommendation (Docket #29) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 30th day of March, 2020.

BY THE COURT:

J. P. Stadtmueller
U.S. District Judge